

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

CECIL GRAVES,

CV No. 18-1172 CG/GBW

Plaintiff,

v.

PROPERTY AND CASUALTY  
INSURANCE COMPANY OF HARTFORD,

Defendant.

**ORDER OF DISMISSAL WITH PREJUDICE**

**THIS MATTER** is before the Court on the parties' *Joint Motion for Dismissal with Prejudice* (the "Joint Motion"), (Doc. 33), filed September 24, 2019. The Court, having considered the Joint Motion and being otherwise advised in the premises, hereby

**FINDS:**

That the parties have entered into a mutually agreed upon resolution of all issues of law and fact in this case. The agreed upon resolution is intended to resolve and effect a full and final release of any and all claims, causes of action, and counterclaims that were brought or that could have been brought herein by and between the parties to this lawsuit. The parties have agreed that any and all claims, causes of action, and counterclaims that were brought or that could have been brought herein by and between the parties are to be dismissed with prejudice. The parties have also agreed to bear their own costs and attorneys' fees and have asked this Court to issue an order of dismissal with prejudice dismissing Plaintiff's Original Complaint for Negligence, Breach of Insurance Contract, Violation of the New Mexico Unfair Claims Practices Act, and Bad Faith Actions.

**IT IS THEREFORE ORDERED** that:

1. Plaintiff's Original Complaint for Negligence, Breach of Insurance Contract, Violation of the New Mexico Unfair Claims Practices Act, and Bad Faith Actions is dismissed with prejudice.
2. All claims, causes of action, and counterclaims that have been asserted or that could have been asserted herein by and between the parties are hereby dismissed with prejudice.
3. The parties are to bear their own costs and attorneys' fees.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'Carmen E. Garza', written over a horizontal line.

THE HONORABLE CARMEN E. GARZA  
CHIEF UNITED STATES MAGISTRATE JUDGE